IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MRS. JUSTICE T.MEENA KUMARI
AND
THE HON'BLE MS. JUSTICE G.ROHINI

WRIT A.PPEAL NO. 1088 OF 2007

Dated : December 31, 2007

Between:

Smt. Tatikonda Nagendram and others

Appellants

AND

The District Collector, Guntur and others

Respondents

THE HON'BLE MRS. JUSTICE T.MEENA KUMARI
AND
THE HON'BLE MS. JUSTICE G.ROHINI

WRIT APPEAL NO. 1088 OF 2007

ORAL JUDGMENT:

(per THE HON'BLE MRS. JUSTICE T.MEENA KUMARI)

Feeling aggrieved by the order dated 14.12.2007

made in WP No.26431 of 2007, whereby a learned Single Judge of this court while leaving it open to the petitioners to seek impleadment in the Contempt Case CC No.742 of 2007, and seek appropriate relief, the present writ appeal is preferred.

The appellants who are petitioners in the above writ petition assail the notices dated 15.11.2007 in RC No.2280/2007-D whereby they were ordered to vacate the premises within one week, inasmuch as the land to an extent of Ac.0.76 cents in Sy. No. 305/2 of Korritapadu village, Guntur Mandal belongs to the fifth respondent herein and the appellants – petitioners have encroached thereon.

On 14.12.2007, when the writ petition came up for hearing, a learned Single Judge of this Court passed the following order:

> *"…Post after one week.*
>
> *Meanwhile it is open for the petitioners to seek impleadment in the contempt case relied on by them and seek appropriate relief therein…"*

Aggrieved thereby, the present writ appeal is filed inter alia contending among other grounds that the order of the learned Single Judge is contrary to law inasmuch as the appellants cannot seek impleadment in the contempt case, which the learned Single Judge did not consider.

Mr. K. Pratap Reddy, learned Senior Counsel for the fifth respondent submitted that the land in question had already been restored back to the owner pursuant to the order of this court in WP No. 22888 of 2002 and CC No. 742 of 2007, which is affirmed by the learned Government Pleader for Revenue.

In view of these peculiar facts and circumstances of the case, the writ appeal is disposed of with a liberty to the appellants herein to make a representation to the appropriate authority for providing alternative site.

With the above direction, the Writ Appeal is disposed of. No order as to costs.

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T.MEENA KUMARI, J.

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G.ROHINI, J.

December 31, 2007
MAS